



**U.S. Department of Justice**  
**Civil Rights Division**

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***Speaking with One Voice: Connecting the DOTs-***  
**2015 Civil Rights Symposium**

Civil Rights 2014: A Year In Review

Civil Rights Division  
U.S. Department of Justice



## OVERVIEW & PRESENTERS

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**Introduction & Overview:** Vanita Gupta,  
Acting Assistant Attorney General

**Disability Rights Section:** Rebecca B. Bond,  
Chief

**Federal Coordination & Compliance  
Section:** Deeana Jang, Chief



# CIVIL RIGHTS DIVISION OVERVIEW

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The Civil Rights Division is committed to advancing three basic principles:

- **Protecting the most vulnerable among us** by ensuring that all in America can live free from fear of exploitation, discrimination, and violence.
- **Safeguarding the fundamental infrastructure of democracy** by protecting the right to vote and access to justice, by ensuring that communities have effective and democratically accountable policing, and by protecting those who protect us.
- **Expanding opportunity for all people** by advancing the opportunity to learn, the opportunity to earn a living, the opportunity to live where one chooses, and the opportunity to worship freely in one's community.



# CRIMINAL ENFORCEMENT

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- Protecting Individuals from Exploitation, Discrimination, and Violence
  - Prosecute and prevent human trafficking
  - Combat hate crimes
  - Prosecute public officials who misuse their positions to willfully deprive individuals of their constitutional rights



## CIVIL ENFORCEMENT

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- Protecting Individuals from Exploitation, Discrimination, and Violence
  - **Protect the rights of individuals in institutions**



## CIVIL ENFORCEMENT

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- Safeguarding the Fundamental Infrastructure of Democracy
  - **Protect voting rights**
  - **Protect those who protect us**
  - **Expand access to courts and the justice system**
  - **Ensure effective, accountable policing in our nation's communities**



## CIVIL ENFORCEMENT

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- Expanding Opportunity for All People
  - Expand equal opportunity in education
  - Expand equal opportunity in the workplace
  - Expand equal opportunity in housing and lending
  - Expand equal opportunity for individuals with disabilities



## NON-LITIGATION ACTION

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- Policy, regulations, and legislation**
- Collaboration with other Federal agencies and other governmental actors**
- Guidance documents, technical assistance, training, and outreach**



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## Disability Rights Section



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### Public Transportation

- DOJ has joint enforcement authority shared with the FTA over public transit entities



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- Public Transportation – Enforcement
  - Crawford and The United States v. City of Jackson, MS (JATRAN)
  - [http://www.ada.gov/jackson\\_transit.htm](http://www.ada.gov/jackson_transit.htm)



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- Public Transportation – Enforcement
  - Virgin Islands Department of Public Works (VITRAN), DOJ Issued a Letter of Findings to VITRAN
  - [http://www.ada.gov/briefs/vitran\\_lof.docx](http://www.ada.gov/briefs/vitran_lof.docx)



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- Private Transportation – Motor Coaches
  - DOJ has joint enforcement authority shared with the Federal Motor Carrier Safety Administration (FMCSA) over intercity over-the-road buses (motor coaches)



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- Private Transportation – Motor Coaches
  - Settlement with DC Trails, Dec. 2014
  - [http://www.ada.gov/dc\\_trails\\_sa.htm](http://www.ada.gov/dc_trails_sa.htm)



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### Other Private Transportation

- DOJ has enforcement authority over all other private transportation systems
- 2013 settlement with SuperShuttle
- <http://www.ada.gov/supershuttle.htm>



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### Other Private Transportation

- December 2014 Statement of Interest (SOI) in lawsuit regarding Uber
- [http://www.ada.gov/briefs/uber\\_soi.doc](http://www.ada.gov/briefs/uber_soi.doc)



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## Regulatory Work with the Access Board



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### Civil Rights 2014: A Year In Review

- Complaints:
- [http://www.ada.gov/filing\\_complaint.htm](http://www.ada.gov/filing_complaint.htm)

*Questions?*



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## **Federal Coordination & Compliance Section**



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## Executive Order 12250 Coordination Responsibility

- Charges the Department of Justice with ensuring the **consistent and effective implementation** of Title VI and other civil rights laws.
- The Attorney General delegated 12250 authority to the DOJ Civil Rights Division, which is a function of the **Federal Coordination and Compliance Section (FCS)**.
- The **Title VI Coordination Regulations** impart record-keeping and interagency coordination obligations on agencies, facilitated and guided by FCS.



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## Executive Order 13166

## DOJ LEP Guidance

## DOT LEP Guidance

Wednesday,  
August 16, 2000

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### Part V

### The President

Executive Order 13166—Improving Access  
to Services for Persons With Limited  
English Proficiency

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### Department of Justice

Enforcement of Title VI of the Civil  
Rights Act of 1964—National Origin  
Discrimination Against Persons With  
Limited English Proficiency; Notice



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## Vital Documents

- 📄 Applications to participate (e.g. driver's license exams)
- 📄 Complaint and intake forms
- 📄 Written notices of rights
- 📄 Award or denial notices
- 📄 Content on website



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## **ENFORCEMENT EXAMPLES**

DOJ Lawsuit Against MCSO, December 2012 MTD Decision,  
<http://go.usa.gov/WWrY>

FTA Letter of Finding, Beavercreek, Ohio (2013)



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DOJ Statements of Interest (2014 and 2015), *FACE v. Hawaii*  
*Dep't of Transportation*

[http://www.lep.gov/resources/DOJ\\_SOI\\_Hawaii.pdf](http://www.lep.gov/resources/DOJ_SOI_Hawaii.pdf)

[http://www.justice.gov/crt/about/cor/cases/HI\\_SOI/11315\\_DOJ\\_SOI\\_FACE\\_v\\_HDOT\\_DHaw.pdf](http://www.justice.gov/crt/about/cor/cases/HI_SOI/11315_DOJ_SOI_FACE_v_HDOT_DHaw.pdf)



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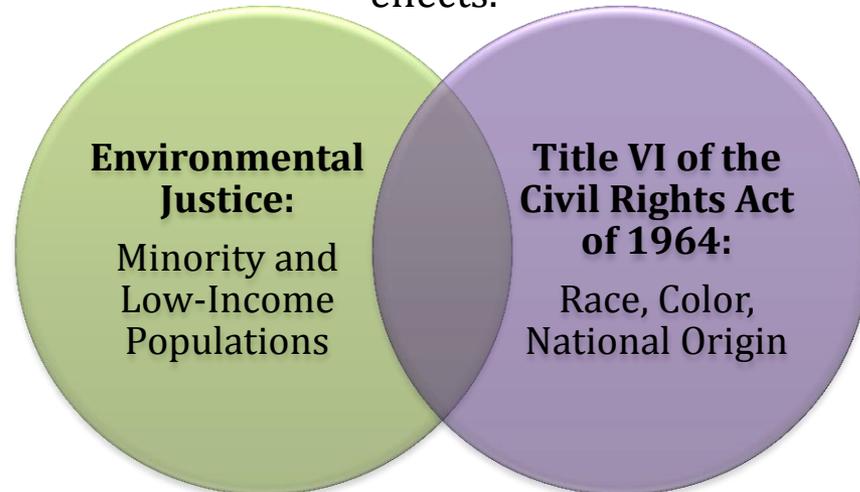
## Title VI and Environmental Justice:

“[E]ach Federal agency shall ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin.”

-Presidential Memorandum  
Accompanying EO 12898

## ENVIRONMENTAL JUSTICE

Executive Order No. 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low- Income Populations*, requires that Federal agencies identify the effects of their actions on the **human health or environment of low-income and minority populations** and address any adverse effects.





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## DOT LEP Resources

Implementing DOT's LEP Guidance, FTA,

<http://go.usa.gov/ZFSG>

FTA Circular C 4702.1B, Chp. I-3 and III-6, Appendix M,

<http://go.usa.gov/ZFhR>

LEP Desk Reference, FHWA, <http://bit.ly/1eNzQbx>

Presentation: LEP Overview, FAA, <http://go.usa.gov/ZMq3>

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### TITLE VI RESOURCES

- Title VI of The Civil Rights Act of 1964, <http://www.justice.gov/crt/about/cor/coord/titlevi.php>
- Executive Order 12250, <http://www.justice.gov/crt/about/cor/12250.php>
- Executive Order 13166, <http://www.justice.gov/crt/about/cor/13166.php>
- Title VI Coordination Regulations, <http://www.justice.gov/crt/about/cor/byagency/28cfr424.pdf>
- Title VI Enforcement Guidelines, <http://www.justice.gov/crt/about/cor/byagency/28cfr503.pdf>
- Title VI Legal Manual, <http://www.justice.gov/crt/about/cor/coord/vimanual.pdf>
- Commonly Asked Questions and Answers Regarding the Protection of Limited English Proficient (LEP) Individuals under Title VI of the Civil Rights Act of 1964 and Title VI Regulations, [http://www.lep.gov/faqs/042511\\_Q&A\\_TitleVI\\_and\\_Regulations.pdf](http://www.lep.gov/faqs/042511_Q&A_TitleVI_and_Regulations.pdf)
- Protecting Against Race, Color, and National Origin Discrimination by Recipients of Federal Funds, 4-year report, July 2013, [http://www.justice.gov/crt/about/cor/4yr\\_report.pdf](http://www.justice.gov/crt/about/cor/4yr_report.pdf)
- Department of Justice Agreements, Resolutions, and Enforcement of Title VI, <http://www.justice.gov/crt/about/cor/agreements.php>
- Title VI Appellate Briefs and Opinions, [http://www.justice.gov/crt/about/app/briefs\\_vi.php](http://www.justice.gov/crt/about/app/briefs_vi.php)
- Title VI and LEP Videos, <http://go.usa.gov/EFi>
- Title VI Civil Rights Newsletters, <http://www.justice.gov/crt/about/cor/pubs.php>
- Language Access Assessment and Planning Tool, <http://go.usa.gov/jpJ>
- Federal Interagency Working Group on Limited English Proficiency, [www.lep.gov](http://www.lep.gov)